

ASSEMBLY BILL

No. 573

Introduced by Assembly Member Cardenas

February 19, 1999

An act to add Section 1367.45 to the Health and Safety Code, and to add Section 10145.1 to the Insurance Code, relating to health coverage.

LEGISLATIVE COUNSEL'S DIGEST

AB 573, as introduced, Cardenas. Health coverage: deaf and hearing impaired persons.

Existing law provides for the licensure and regulation of health care service plans administered by the Commissioner of Corporations. Under existing law, willful violation of any of these provisions is a crime. Existing law also provides for the regulation of policies of disability insurance administered by the Insurance Commissioner.

Existing law prohibits specified health care service plans and disability insurers from refusing to cover, or refusing to continue to cover, or limiting the amount, extent, or kind of coverage available to an individual, or charging a different rate for the same coverage solely because of blindness or partial blindness, as defined.

This bill would apply the same prohibitions with respect to coverage of deaf or hearing impaired individuals. Since the willful violation of the provisions relating to health care service plans is a crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1367.45 is added to the Health
2 and Safety Code, to read:

3 1367.45. No plan issuing, providing, or administering
4 any contract of individual or group coverage providing
5 medical, surgical, or dental expense benefits applied for
6 and issued on or after January 1, 2000, shall refuse to cover,
7 or refuse to continue to cover, or limit the amount, extent,
8 or kind of coverage available to an individual, or charge
9 a different rate for the same coverage solely because that
10 individual is deaf or hearing impaired.

11 SEC. 2. Section 10145.1 is added to the Insurance
12 Code, to read:

13 10145.1. No insurer issuing, providing, or
14 administering any contract of individual or group
15 insurance providing life, annuity, or disability benefits
16 applied for and issued on or after January 1, 2000, shall
17 refuse to insure, or refuse to continue to insure, or limit
18 the amount, extent, or kind of coverage available to an
19 individual, or charge a different rate for the same
20 coverage solely because that individual is deaf or hearing
21 impaired.

22 SEC. 3. No reimbursement is required by this act
23 pursuant to Section 6 of Article XIII B of the California
24 Constitution because the only costs that may be incurred
25 by a local agency or school district will be incurred
26 because this act creates a new crime or infraction,
27 eliminates a crime or infraction, or changes the penalty
28 for a crime or infraction, within the meaning of Section
29 17556 of the Government Code, or changes the definition



1 of a crime within the meaning of Section 6 of Article
2 XIII B of the California Constitution.

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